

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>
Office: (317) 232-2701
Facsimile: (317) 232-6758

VERIFIED PETITION OF THE BOARD OF)
COMMISSIONERS OF BOONE COUNTY,)
INDIANA, TO REVOKE THE CERTIFICATE)
OF TERRITORIAL AUTHORITY ISSUED TO)
BOONE COUNTY UTILITIES, LLC, A)
CONTINUATION OF THE COMMISSION'S)
INVESTIGATION INITIATED JUNE 5, 2003,)
PURSUANT TO I.C. 8-1-30 ET SEQ. AS SET)
FORTH IN THE COMMISSION'S ORDER)
OF JUNE 5, 2002, AND INTERIM ORDER)
OF MARCH 12, 2003)

FILED

MAY 25 2004

INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 42131

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

The Presiding Officers note that, on May 21, 2004, the Office of the Utility Consumer Counselor ("OUCC") filed its *INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR'S REQUEST FOR A STATUS CONFERENCE, A PREHEARING CONFERENCE, AND REQUEST TO EXPEDITE REGULATORY REVIEW ON PROPOSED TRANSFER OF ASSETS AND CERTIFICATE OF TERRITORIAL AUTHORITY*, which Request is in words and figures as follows, to-wit:

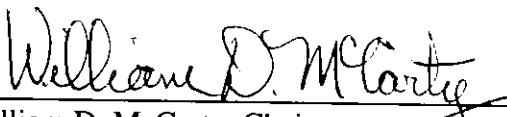
(H.I.)

On February 25, 2004, the Commission issued an Order wherein it was noted that:

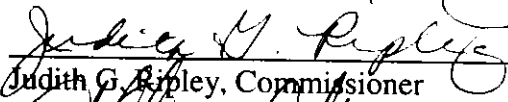
The Commission recognizes that the United States Bankruptcy Court has the full power and exclusive jurisdiction to conduct the sale of the assets of Boone County Utilities, a debtor in possession under the Bankruptcy Code. Therefore, the Presiding Officers stay all proceedings before the Commission under Cause No. 42131.

The Presiding Officers find that the relief sought by the OUCC in its May 21, 2004 Request specifically goes to the matters stayed by the Commission's February 25, 2004 Order, and, therefore, the OUCC's Request is subject to the stay imposed by that Order and is therefore denied.

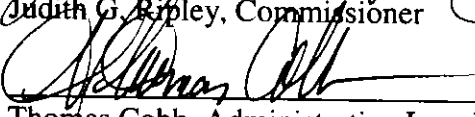
IT IS SO ORDERED.



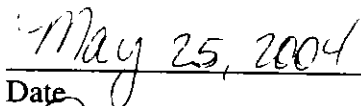
William D. McCarty, Chairman




Judith G. Ripley, Commissioner



Thomas Cobb, Administrative Law Judge



Date



Nancy E. Manley, Secretary to the Commission